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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
08/19/2009 10:05 AM 00000012 500494 10759589  
01 FC:1461 810.00 DA

Patent No. 6,989,324

Issued: January 24, 2006

Serial No.: 10/759,589

Filed: January 15, 2004

Inventors: Seung-Heon Lee et al.

Docket: UC 2004-014-1

G&amp;C 30794.325-US-01

Title: FABRICATION METHOD FOR ARRANGING ULTRA-FINE PARTICLES

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COMMUNICATION UNDER 37 C.F.R. §1.28(c)  
TO CORRECT AN ERROR IN SMALL ENTITY STATUS  
08/19/2009 10:05 AM 00000013 500494 6989324  
01 FC:1559 490.00 DACommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Assignee, The Regents of the University of California, of the above-identified patent has executed a "Notification Of Change In Small Entity Status Pursuant to 37 C.F.R. §1.27(g)(2)." This Notification is enclosed herewith, indicating that the above-identified patent is now considered a large entity, and is no longer entitled to small entity status.

Assignee's attorney respectfully submits that, in the above-identified patent, small entity status was established in good faith and the small entity fees were previously paid in good faith. However, it has been discovered that the issue fee should not have been paid under small entity status when paid on November 14, 2005, and that the patent maintenance fee due at 3.5 years should not have been paid under small entity status when paid on June 22, 2009, both of which were in error, although without deceptive intent.

Consequently, Assignee's attorney respectfully requests that the error be excused in view of the following compliance with the separate submission and itemization requirements of 37 C.F.R. §§1.28(c)(1) and (c)(2), and the deficiency payment requirement of 37 C.F.R. §1.28(c)(2). The deficiency amount owed under 37 C.F.R. §1.28(c) has been calculated using the date on which the deficiency was paid in full.

In accordance with 37 C.F.R. §1.28(c)(2), which requires that for each fee that was erroneously paid as a small entity, the deficiencies owed must be paid, and the payment of the

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deficiencies must be itemized. The deficiency owed for each previous fee erroneously paid as a small entity is the difference between the current fee amount (for other than a small entity) on the date the deficiency is paid in full and the amount of the previous erroneous (small entity) fee payment.

37 CFR §1.28(c)(2)(ii) requires the following itemizations: (A) the particular fee involved (e.g., basic filing fee, extension of time fee); (B) the small entity fee amount actually paid and when (for example, distinguishing between two one month extension of time fees erroneously paid on two different dates); (C) the actual deficiency owed for each fee previously paid in error; and (D) the total deficiency owed. These itemizations are set forth below:

1. (A) Utility Issue Fee + Publication Fee; (B) the amount of \$1,000.00 was paid on November 14, 2005; (C) the actual deficiency owed for the fee paid in error is \$810.00, i.e., the Utility Issue Fee for a large entity is \$1,510.00, plus the Publication Fee is \$300.00, minus \$1,000.00 previously paid.
2. (A) Patent Maintenance Fee – Due at 3.5 Years; (B) the amount of \$490.00 was paid on June 22, 2009; (C) the actual deficiency owed for the fee paid in error is \$490.00, i.e., the Patent Maintenance Fee - Due at 3.5 Years for a large entity is \$980.00, minus \$490.00 previously paid.
3. (D) The total deficiency owed (i.e., the sum of individual deficiencies) is \$1,300.00, i.e., \$810.00 from 1(C) and \$490.00 from 2(C).

Consequently, please charge the total deficiency owed of \$1,300.00 to Deposit Account No. 50-0494. Any requisite additional fees may be charged to Deposit Account No. 50-0494.

Should the Office believe matters still remain that can be resolved in a telephone interview, the Office is urged to call Assignee's undersigned attorney.

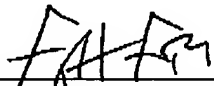
Respectfully submitted,

GATES & COOPER LLP  
Attorneys for Assignee

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: August 17, 2009

GHG/

By:   
Name: George H. Gates  
Reg. No.: 33,500

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Patent No. 6,989,324

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Inventors: Seung-Heon Lee et al.

Docket: UC 2004-014-1

G&amp;C 30794.325-US-01

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Title: FABRICATION METHOD FOR ARRANGING ULTRA-FINE PARTICLES

**NOTIFICATION OF CHANGE IN  
SMALL ENTITY STATUS PURSUANT TO 37 C.F.R. §1.27(e)(2)**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Assignee, The Regents of the University of California, of the above-identified U.S. patent wishes to notify the U.S. Patent and Trademark Office that status as a small entity is no longer appropriate for this patent and hereby requests that small entity status be revoked for the patent.

Respectfully submitted,

The Regents of the University of California

Dated: 8/17/09By:   
Sheryle Mills Englander  
Director, UCSB OTIA

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PTO/SB/82 (01-05)

Approved for use through 12/31/2008. OMB 0551-0035

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS

Application Number	10/769,589
Filing Date	2004-01-15
First Named Inventor	Seung-Heon Lee et al
Art Unit	2818
Examiner Name	Calvin Lee
Attorney Docket Number	G&C 30794.325-US-01

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I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

22462

☒ Please change the correspondence address for the above-identified application to:☒ The address associated with  
Customer Number:

22462

OR

☐ Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

## SIGNATURE of Applicant or Assignee of Record

Signature

Name

Sherylle Mills Englander

Date

8/17/09

Telephone

805-893-6180

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SB/28 (07-08)

Approved for use through 07/31/2012. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Seung-Heon Lee, Frederic S. Diana, Antonio Badolato, Pierre M. Petroff, and Edward J. KramerApplication No./Patent No.: 6,989,324Filed/Issue Date: 1/24/06

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Titled:

FABRICATION METHOD FOR ARRANGING ULTRA-FINE PARTICLES

AUG 24 2009

The Regents of the University of California

a University

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

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states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)
- the patent application/patent identified above, by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014806, Frame 0792, or for which a copy therefore is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Date

Sherylle Mills Englander

Director, UCSB OTIA

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1400, Alexandria, VA 22313-1400.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.